



General Assembly

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***Amendment***

LCO No. 5618

**\*HB0657005618HR0\***

Offered by:  
REP. CHAPIN, 67<sup>th</sup> Dist.

To: Subst. House Bill No. 6570

File No. 506

Cal. No. 122

***"AN ACT CONCERNING PLANS OF CONSERVATION AND DEVELOPMENT."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 16a-25 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2005*):

5 As used in this chapter and section 503 of this act:

6 (1) "Process" means the procedure for adopting, amending, revising  
7 and implementing a state plan of conservation and development;

8 (2) "Existing plan" means the plan promulgated by Executive Order  
9 No. 28, September 27, 1974;

10 (3) "Secretary" means the Secretary of the Office of Policy and  
11 Management;

12 (4) "Committee" means the continuing legislative committee on state

13 planning and development established pursuant to section 4-60d;

14 (5) "Adoption year" means the calendar year which is no later than  
15 five years subsequent to the year in which the plan was last adopted in  
16 accordance with the process established in this chapter;

17 (6) "Revision year" means the calendar year immediately preceding  
18 the adoption year;

19 (7) "Prerevision year" means the calendar year immediately  
20 preceding the revision year;

21 (8) "State agency" means any state department, institution, board,  
22 commission or official; [and]

23 (9) "Plan", when referring to the state plan for conservation and  
24 development, means the text of such plan and any accompanying  
25 locational guide map;

26 (10) "Interim change" means any change made in the policies plan  
27 between adoption years;

28 (11) "Map" means the locational guide map of the policies plan,  
29 official copies of which are maintained in the offices of the committee  
30 and secretary;

31 (12) "Policies plan" means the latest revision of the state of  
32 Connecticut Conservation and Development Policies Plan adopted by  
33 the General Assembly, and means the text of such plan and any  
34 accompanying locational guide map; and

35 (13) "Municipality" means any town, city or borough.

36 Sec. 502. Section 16a-32 of the general statutes is repealed and the  
37 following is substituted in lieu thereof (*Effective October 1, 2005*):

38 (a) Each revision of the plan of conservation and development shall  
39 be initiated by the secretary and shall be undertaken in accordance  
40 with the process outlined in this chapter.

41       [(b) Upon written approval of the committee, interim changes in the  
42 plan may be undertaken by the secretary upon his own initiative or  
43 upon application by any person, political subdivision of the state or  
44 state agency without initiating a revision of the plan. The secretary  
45 shall adopt regulations in accordance with chapter 54 to establish  
46 procedures for applications for such interim changes by any person,  
47 political subdivisions of the state or state agency. Such regulations  
48 shall include, but need not be limited to, provisions for interviews and  
49 consultations with local planning and zoning commissions or, in those  
50 municipalities which have adopted the provisions of chapter 124 but  
51 which do not have a zoning commission, the persons designated to  
52 exercise zoning powers pursuant to section 8-1, review of local plans of  
53 development and public hearings. The secretary shall notify the chief  
54 executive officer and the persons exercising planning or zoning  
55 powers in any municipality which is the subject of an application for  
56 change in the locational guide map and shall notify any members of  
57 the General Assembly representing any area which is the subject of  
58 such an application. A joint public hearing by the secretary and the  
59 committee shall be held in any such municipality if requested by any  
60 chief executive officer or planning or zoning official notified by the  
61 secretary pursuant to this subsection. The committee shall also hold a  
62 hearing in addition to any hearing required to be held in any  
63 municipality concerning the locational guide map on any other  
64 proposed changes. After such public hearing by the committee and  
65 upon written approval of the committee, the secretary may make  
66 interim changes in the plan to reflect the approved changes.]

67       [(c)] (b) The secretary shall report annually on or before February  
68 fifteenth to the committee progress on the implementation of the plan  
69 and the extent to which state actions are in conformity with the plan.

70       [(d)] (c) Nothing in this section shall be construed to prohibit the  
71 committee from initiating a revision of the plan at any time.

72       Sec. 503. (NEW) (*Effective October 1, 2005*) (a) Upon written approval  
73 of the committee, interim changes in the plan may be undertaken by

74 the secretary upon the secretary's own initiative or upon application by  
75 any person, municipality or state agency without initiating a revision  
76 of the plan. If the applicant is a person, municipality of the state or  
77 state agency, the application shall be filed in triplicate with the  
78 secretary. In the case of a municipality, the applicant shall be the chief  
79 executive officer, with approval of the local legislative body, and in a  
80 municipality where the legislative body is the town meeting, the  
81 applicant shall be the board of selectmen. In the case of a state agency,  
82 the applicant shall be the highest administrative official of the agency.  
83 An application may be withdrawn without prejudice by the applicant  
84 at any time.

85 (b) Each application shall be accompanied by a narrative containing  
86 the reasons for the request, including any supporting documentation.  
87 In the case of an application submitted by a municipality the  
88 application shall include evidence, in writing, of the opinion of the  
89 planning commission, if any, having jurisdiction over the area which is  
90 coterminous with the municipality making the application. Each  
91 application for an interim change which involves a change in the text  
92 of the policies plan shall (1) cite page numbers where any interim  
93 change is requested; (2) copy the entire paragraph verbatim where any  
94 interim change is requested, placing brackets around any existing text  
95 proposed to be deleted and inserting in the appropriate places any  
96 proposed new text, with underscoring; and (3) in the case of a  
97 proposed change to a chapter heading, subheading, category title, or  
98 other terminology, include the present wording and a clear  
99 explanation of the proposed change. Each application for an interim  
100 change which involves a change in the map shall (A) depict on the  
101 appropriate United States Geological Survey topographic series map at  
102 a scale of 1" = 2000' the land area for which a change in land category is  
103 requested and identify each geographical area depicted with a  
104 reference letter or number, (B) cite each change requested by the  
105 reference letter described in subsection and identify the current land  
106 category on the map and name the land category requested.

107 (c) Not later than ten days after receipt of an acceptably documented

108 application for an interim change as provided in subsection (b) of this  
109 section, the secretary shall: (1) Forward such information to the  
110 committee, (2) notify, in writing, the chief executive officer and the  
111 persons exercising planning or zoning powers in any municipality  
112 which is the subject of an application for change in the locational guide  
113 map, and (3) notify any members of the General Assembly  
114 representing any area which is the subject of an application for change  
115 in the locational guide map. Such notification to a chief executive  
116 officer and to persons exercising planning or zoning powers shall  
117 indicate the opportunity for a joint public hearing by the committee  
118 and the secretary and shall provide for twenty calendar days for the  
119 receipt of a written request for such hearing to the committee and the  
120 secretary.

121 (d) In reviewing an application for an interim change, the committee  
122 may consult directly with the applicant, the secretary, state and local  
123 agencies, the appropriate regional planning agency or any other  
124 persons or agencies.

125 (e) Not later than thirty calendar days after receipt of the application  
126 for an interim change which does not involve a change to the  
127 locational guide map, the committee shall hold a public hearing on the  
128 proposed change and shall notify the secretary of such hearing.

129 (f) (1) The committee and the secretary shall hold a joint public  
130 hearing on each interim change which involves a change in the  
131 locational guide map not later than thirty calendar days after receipt of  
132 a request for a public hearing from the chief executive officer or  
133 persons exercising planning or zoning powers in the municipality. If  
134 the proposed map change is located in two or more municipalities, a  
135 hearing shall be held in each municipality requesting a hearing. Five  
136 additional days shall be allowed for each additional hearing.

137 (2) Notice of the time and place of such hearing shall be published  
138 in a newspaper having a substantial circulation in such municipality at  
139 least twice, at intervals of not less than two days, the first not more

140 than fifteen days, less than ten days, and the second not less than two  
141 days before the date of such hearing. The applicant shall be given  
142 notice of the hearing by registered mail. If a map change is, or  
143 constitutes a part of, the proposed interim change, each appropriate  
144 municipality and regional planning agency shall be given special  
145 notice by registered mail.

146 (3) The committee shall establish its own rules of procedure for  
147 holding the public hearing. Each party in attendance shall be offered a  
148 reasonable opportunity to speak in favor of or against the proposed  
149 interim change. A permanent record of the hearing shall be made,  
150 either by stenography or electronic recording.

151 (g) Not later than ten calendar days after the period provided to the  
152 chief executive officer and persons exercising planning or zoning  
153 powers if no public hearing is requested, or not later than ten calendar  
154 days after the date of the completion of the hearing, the secretary shall  
155 render a summary report of any findings and recommendations to the  
156 committee. Not later than thirty calendar days after receipt of the  
157 secretary's report and recommendations, the committee shall approve  
158 or reject the application and inform the secretary of its decision.

159 (h) The secretary shall make the interim change on master copies of  
160 the policies plan, including the map, if pertinent, and shall record the  
161 date, month and year of such action in its records. The secretary shall  
162 set the effective date for the interim change not later than ten days  
163 after receipt of notice of the committee's action.

164 (i) The secretary shall notify the applicant by registered mail of the  
165 action by the committee and the effective date. Notice shall also be sent  
166 to the appropriate municipality and regional planning agency. In the  
167 case of approval of an interim change, the secretary shall send  
168 notification of such action with a brief description and effective date  
169 for publication in the Connecticut Law Journal."